REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed March 16, 2009. Claims 1, 17, 25, 26, 28, 30, 38, 39, and 41 have been amended, and claims 1-2 and 4-42 remain pending in the present application. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

1. Summary of Telephone Interview

Applicant's representative, Mr. Charles W. Griggers, had a telephone interview with Examiner Cardenas-Navia on June 15, 2009 regarding the outstanding Office Action. During the discussion, the proposed amendments to claim 1 (contained herein) were briefly discussed and the Examiner indicated that the amendments were potentially beneficial. Accordingly, Applicants respectfully request the Examiner to consider the contents of the present response.

2. Rejection of Claims under 35 U.S.C. §112

Claims 1, 2, and 4-16 have been rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for having an insufficient antecedent basis. Independent claim 1 has been rewritten to address the Examiner's concerns. Withdrawal of the rejection of claims 1, 2, and 4-16 is respectfully requested.

3. Rejection of Claims under 35 U.S.C. §103

Claims 1-2 and 4-42 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Flam* (U.S. Patent No. 7,266,764) in view of *Lofton* (U.S. Patent Publication No. 2003/0154116 A1).

a. Claim 1

As provided in independent claim 1, Applicant claims:

> An issue tracking system, comprising:
>
> ***a centralized server operable to transmit a graphical user interface for tracking project issues of a group project over a network to a client device, the graphical user interface being displayable on the client device without installation of the graphical user interface on the client device and enabling a project member to chronicle issues that need to be undertaken within the group project including their statuses, classifications, and individual responsibilities, wherein the statuses comprises indications of a next step that needs to be taken by one or more group members or users on the group project and the classifications comprise costs or values of a specific issue according to group management or administrator;***
>
> ***a database coupled to the centralized server operable to provide the graphical user interface to the centralized server, the database being further operable to track at least one project issue related to the group project, to provide access through the centralized server to a plurality of users responsible for resolving said at least one project issue, and to provide a storage option for a user to upload data formats, the topic being a subject, available for selection by a user using the graphical user interface, under which the at least one project issue is related, the project issue being tracked using the issue tracking system, wherein one or more users familiar with the group project are enabled to update and view a current status of the project issue using the graphical user interface***,
>
> wherein the centralized server is further operable to transmit a notification to a responsible user for each occurrence of the following: a new project issue has been created, a step toward resolution has been entered for said at least one project issue, or said at least one project issue has been closed.

(Emphasis added).

Applicant respectfully submits that independent claim 1 is allowable for at least the reason that *Flam* in view of *Lofton* does not disclose, teach, or suggest at least "a centralized server operable to transmit a graphical user interface for tracking project issues of a group project over a network to a client device, the graphical user interface being displayable on the client device without installation of the graphical user interface on the client device and enabling a project member to chronicle issues that need to be undertaken within the group project including their statuses, classifications, and

individual responsibilities, wherein the statuses comprises indications of a next step that needs to be taken by one or more group members or users on the group project and the classifications comprise costs or values of a specific issue according to group management or administrator; [and] a database coupled to the centralized server operable to provide the graphical user interface to the centralized server, the database being further operable to track at least one project issue related to the group project, to provide access through the centralized server to a plurality of users responsible for resolving said at least one project issue, and to provide a storage option for a user to upload data formats, the topic being a subject, available for selection by a user using the graphical user interface, under which the at least one project issue is related, the project issue being tracked using the issue tracking system, wherein one or more users familiar with the group project are enabled to update and view a current status of the project issue using the graphical user interface," as emphasized above.

For example, *Flam* describes a process control system that automatically performs activities based on conditions detected during monitoring. As shown in FIG. 9, a client application of the process control system is installed locally on a computer and is not transmitted from a centralized server. Furthermore, *Flam* describes a system for scheduling administrative queries of a process, such as a service or complaint process for servicing and escalating problems, and does not disclose a system for tracking group project issues in the manner claimed.

For example, in a general service desk or complaint system, a problem is defined and the system helps coordinate the work of different people who work on the problem at different times, where the system may assign or escalate the problem to be handled to different persons at different times. In contrast, in claim 1, a group project is being undertaken by a group or project team, where the claimed graphical user interface is enabled for a project team member to chronicle issues being undertaken within the group project including their statuses and individual responsibilities and the steps being undertaken to complete the group project.

Further in the system for automatically monitoring processes disclosed in the reference, *Flam* discloses that a customer complaint process may be repeatedly queried by the automated system to determine if an assigned customer specialist has

not replied to the customer in a preferred period of time and then make notification of this fact to his or her supervisor. Then, *Flam* discloses that the times in which the query is run are recorded. *See* col. 5, lines 35-61. *Flam* additionally discloses that an operator can configure how an administrative query is to run. Accordingly, *Flam* is deficient in disclosing a project issue being tracked using an issue tracking system, wherein one or more users familiar with the project are enabled to update and view a current status of the project issue using the graphical user interface, as described in claim 1.

Further, *Lofton* describes an Internet-based calendar and does not remedy the deficiencies of *Flam*. In particular, *Lofton* individually or in combination with *Flam* fails to teach or suggest at least "a centralized server operable to transmit a graphical user interface for tracking project issues of a group project over a network to a client device, the graphical user interface being displayable on the client device without installation of the graphical user interface on the client device and enabling a project member to chronicle issues that need to be undertaken within the group project including their statuses, classifications, and individual responsibilities, wherein the statuses comprises indications of a next step that needs to be taken by one or more group members or users on the group project and the classifications comprise costs or values of a specific issue according to group management or administrator; [and] a database coupled to the centralized server operable to provide the graphical user interface to the centralized server, the database being further operable to track at least one project issue related to the group project, to provide access through the centralized server to a plurality of users responsible for resolving said at least one project issue, and to provide a storage option for a user to upload data formats, the topic being a subject, available for selection by a user using the graphical user interface, under which the at least one project issue is related, the project issue being tracked using the issue tracking system, wherein one or more users familiar with the group project are enabled to update and view a current status of the project issue using the graphical user interface," as recited in claim 1.

As a result, claim 1 is patentable over *Flam* in view of *Lofton*, and the rejection of claim 1 should be withdrawn.

b. Claims 2-16

For at least the reasons given above, claim 1 is allowable over the cited art of record. Since claims 2 and 4-16 depend from and include the features of claim 1 and recite additional features, claims 2-16 are allowable as a matter of law over the cited art of record.

c. Claim 17

As provided in independent claim 17, Applicant claims:

> A method of tracking project issues, comprising:
> storing a group project in a standardized format on a centralized database;
> ***transmitting a graphical user interface for tracking project issues over a network to a client device, the graphical user interface being displayable on the client device without installation of the graphical user interface on the client device, the graphical user interface enabling a project member to chronicle issues that need to be undertaken within the group project including their statuses, classifications, and individual responsibilities, wherein the statuses comprises indications of a next step that needs to be taken by one or more group members or users on the group project and the classifications comprise costs or values of a specific issue according to group management or administrator;***
> ***adding an issue associated with the group project to the centralized database using the graphical user interface, wherein one or more users familiar with the group project are enabled to update and view a current status of the issue using the graphical user interface;***
> enabling users to add at least one step taken to resolve the issue to the centralized database;
> transmitting a notification to a responsible user associated with the project for each occurrence of the following: a new issue has been created for the group project, a step toward resolution has been entered for the issue, or the issue has been closed; and
> providing an option to a user to upload a data file using the graphical user interface.

(Emphasis added).

Applicant respectfully submits that independent claim 17 is allowable for at least the reason that *Flam* in view of *Lofton* does not disclose, teach, or suggest at least "transmitting a graphical user interface for tracking project issues over a network to a

client device, the graphical user interface being displayable on the client device without installation of the graphical user interface on the client device, the graphical user interface enabling a project member to chronicle issues that need to be undertaken within the group project including their statuses, classifications, and individual responsibilities, wherein the statuses comprises indications of a next step that needs to be taken by one or more group members or users on the group project and the classifications comprise costs or values of a specific issue according to group management or administrator; [and] adding an issue associated with the group project to the centralized database using the graphical user interface, wherein one or more users familiar with the group project are enabled to update and view a current status of the issue using the graphical user interface," as emphasized above.

For example, *Flam* describes a process control system that automatically performs activities based on conditions detected during monitoring. As shown in FIG. 9, a client application of the process control system is installed locally on a computer and is not transmitted from a centralized server. Furthermore, *Flam* describes a system for scheduling administrative queries of a process, such as a service or complaint process for servicing and escalating problems, and does not disclose a system for tracking group project issues in the manner claimed.

For example, in a general service desk or complaint system, a problem is defined and the system helps coordinate the work of different people who work on the problem at different times, where the system may assign or escalate the problem to be handled to different persons at different times. In contrast, in claim 17, a group project is being undertaken by a group or project team, where the claimed graphical user interface is enabled for a project team member to chronicle issues being undertaken within the group project including their statuses and individual responsibilities and the steps being undertaken to complete the group project.

Further in the system for automatically monitoring processes disclosed in the reference, *Flam* discloses that a customer complaint process may be repeatedly queried by the automated system to determine if an assigned customer specialist has not replied to the customer in a preferred period of time and then make notification of this fact to his or her supervisor. Then, *Flam* discloses that the times in which the query

is run are recorded. *See* col. 5, lines 35-61. *Flam* additionally discloses that an operator can configure how an administrative query is to run. Accordingly, *Flam* is deficient in disclosing a project issue being tracked using an issue tracking method, wherein one or more users familiar with the project are enabled to update and view a current status of the project issue using the graphical user interface, as described in claim 17.

Further, *Lofton* describes an Internet-based calendar and does not remedy the deficiencies of *Flam*. In particular, *Lofton* individually or in combination with *Flam* fails to teach or suggest at least "transmitting a graphical user interface for tracking project issues over a network to a client device, the graphical user interface being displayable on the client device without installation of the graphical user interface on the client device, the graphical user interface enabling a project member to chronicle issues that need to be undertaken within the group project including their statuses, classifications, and individual responsibilities, wherein the statuses comprises indications of a next step that needs to be taken by one or more group members or users on the group project and the classifications comprise costs or values of a specific issue according to group management or administrator; [and] adding an issue associated with the group project to the centralized database using the graphical user interface, wherein one or more users familiar with the group project are enabled to update and view a current status of the issue using the graphical user interface," as recited in claim 17.

As a result, claim 17 is patentable over *Flam* in view of *Lofton*, and the rejection of claim 17 should be withdrawn.

d. Claims 18-29

For at least the reasons given above, claim 17 is allowable over the cited art of record. Since claims 18-29 depend from and include the features of claim 17 and recite additional features, claims 18-29 are allowable as a matter of law over the cited art of record.

e. Claim 30

As provided in independent claim 30, Applicant claims:

> A computer readable medium having a program for tracking project issues, the program operable to perform:
>
> storing a group project on a centralized database;
>
> ***transmitting a graphical user interface for tracking project issues over a network to a client device, the graphical user interface being displayable on the client device without installation of the graphical user interface on the client device, the graphical user interface enabling a project member to chronicle issues that need to be undertaken within the group project including their statuses, classifications, and individual responsibilities, wherein the statuses comprises indications of a next step that needs to be taken by one or more group members or users on the group project and the classifications comprise costs or values of a specific issue according to group management or administrator;***
>
> ***adding an issue associated with the group project to the centralized database using the graphical user interface, wherein one or more users familiar with the group project are enabled to update and view a current status of the issue using the graphical user interface;***
>
> enabling users to add at least one step taken to resolve the issue to the centralized database;
>
> transmitting a notification to a responsible user associated with the group project for each occurrence of the following: a new issue has been created for the group project, a step toward resolution has been entered for the issue, or the issue has been closed; and
>
> providing an option to a user to upload a data file.

(Emphasis added).

Applicant respectfully submits that independent claim 30 is allowable for at least the reason that *Flam* in view of *Lofton* does not disclose, teach, or suggest at least "transmitting a graphical user interface for tracking project issues over a network to a client device, the graphical user interface being displayable on the client device without installation of the graphical user interface on the client device, the graphical user interface enabling a project member to chronicle issues that need to be undertaken within the group project including their statuses, classifications, and individual responsibilities, wherein the statuses comprises indications of a next step that needs to be taken by one or more group members or users on the group project and the classifications comprise costs or values of a specific issue according to group

management or administrator; [and] adding an issue associated with the group project to the centralized database using the graphical user interface, wherein one or more users familiar with the group project are enabled to update and view a current status of the issue using the graphical user interface," as emphasized above.

For example, *Flam* describes a process control system that automatically performs activities based on conditions detected during monitoring. As shown in FIG. 9, a client application of the process control system is installed locally on a computer and is not transmitted from a centralized server. Furthermore, *Flam* describes a system for scheduling administrative queries of a process, such as a service or complaint process for servicing and escalating problems, and does not disclose a system for tracking group project issues in the manner claimed.

For example, in a general service desk or complaint system, a problem is defined and the system helps coordinate the work of different people who work on the problem at different times, where the system may assign or escalate the problem to be handled to different persons at different times. In contrast, in claim 30, a group project is being undertaken by a group or project team, where the claimed graphical user interface is enabled for a project team member to chronicle issues being undertaken within the group project including their statuses and individual responsibilities and the steps being undertaken to complete the group project.

Further in the system for automatically monitoring processes disclosed in the reference, *Flam* discloses that a customer complaint process may be repeatedly queried by the automated system to determine if an assigned customer specialist has not replied to the customer in a preferred period of time and then make notification of this fact to his or her supervisor. Then, *Flam* discloses that the times in which the query is run are recorded. *See* col. 5, lines 35-61. *Flam* additionally discloses that an operator can configure how an administrative query is to run. Accordingly, *Flam* is deficient in disclosing a project issue being tracked using an issue tracking process, wherein one or more users familiar with the project are enabled to update and view a current status of the project issue using the graphical user interface, as described in claim 30.

Further, *Lofton* describes an Internet-based calendar and does not remedy the deficiencies of *Flam*. In particular, *Lofton* individually or in combination with *Flam* fails to teach or suggest at least "transmitting a graphical user interface for tracking project issues over a network to a client device, the graphical user interface being displayable on the client device without installation of the graphical user interface on the client device, the graphical user interface enabling a project member to chronicle issues that need to be undertaken within the group project including their statuses, classifications, and individual responsibilities, wherein the statuses comprises indications of a next step that needs to be taken by one or more group members or users on the group project and the classifications comprise costs or values of a specific issue according to group management or administrator; [and] adding an issue associated with the group project to the centralized database using the graphical user interface, wherein one or more users familiar with the group project are enabled to update and view a current status of the issue using the graphical user interface," as recited in claim 30.

As a result, claim 30 is patentable over *Flam* in view of *Lofton*, and the rejection of claim 30 should be withdrawn.

f. Claims 31-42

For at least the reasons given above, claim 30 is allowable over the cited art of record. Since claims 31-42 depend from and include the features of claim 30 and recite additional features, claims 31-42 are allowable as a matter of law over the cited art of record.

2. Traversal of Finding of Official Notice

In the previous responses, Applicant traversed a finding of Official Notice. In the outstanding non-final Office Action, it is alleged that Applicant's traversal was not adequate and therefore, the officially noticed facts are deemed admitted prior art.

Applicant again traverses this finding. In particular, the Office Action states that a server being operable to communicate using a hypertext markup language is old and well-known. However, claim 2 does not simply recite a server communicating using a hypertext markup language. Specifically, claim 2 depends from claim 1 which recites:

An issue tracking system, comprising:

a centralized server operable to transmit a graphical user interface for tracking project issues of a group project over a network to a client device, the graphical user interface being displayable on the client device without installation of the graphical user interface on the client device and enabling a project member to chronicle issues that need to be undertaken within the group project including their statuses, classifications, and individual responsibilities, wherein the statuses comprises indications of a next step that needs to be taken by one or more group members or users on the group project and the classifications comprise costs or values of a specific issue according to group management or administrator;

a database coupled to the centralized server operable to provide the graphical user interface to the centralized server, the database being further operable to track at least one project issue related to a topic the group project, to provide access through the centralized server to a plurality of users responsible for resolving said at least one project issue, and to provide a storage option for a user to upload data formats, the topic being a subject, available for selection by a user using the graphical user interface, under which the at least one project issue is related, the project issue being tracked using the issue tracking system, wherein one or more users familiar with the group project are enabled to update and view a current status of the project issue using the graphical user interface,

wherein the centralized server is further operable to transmit a notification to a responsible user for each occurrence of the following: a new project issue has been created, a step toward resolution has been entered for said at least one project issue, or said at least one project issue has been closed.

Therefore, a server of the type claimed in claim 2 should not be considered to be of common knowledge or well-known in the art. For example, the earlier traversal stated with regard to claim 2 that "specific factual findings predicated on sound technical and scientific reasoning in support of the conclusion of common knowledge are not provided in the Office Action." *See* page 18 of Applicant's Response filed May 7, 2008. Further, Applicant noted that an affidavit was not provided to support the alleged facts. *See* page 18 of Applicant's Response filed May 7, 2008. In addition, Application pointed that "it has not been established that a centralized server operable to transmit a graphical user interface for tracking project issues over a network and operable to communicate using a hypertext markup language, as described in claim 2, is capable of instant and unquestionable

demonstration as being well-known." *See* page 18 of Applicant's Response filed May 7, 2008.

Therefore, Applicant respectfully submits that its traversal of the finding of Official Notice is adequate and should not be construed as an admission that the officially noticed facts are admitted prior art.

CONCLUSION

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for at least the specific and particular reason that the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

For at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. In addition, Applicant reserves the right to address any comments made in the Office Action that were not specifically addressed herein. Thus, such comments should not be deemed admitted by the Applicant. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,

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